

CHAPTER 302—S. F. No. 134.

An Act to require the Northern Pacific Railway Company to cover its tracks through the campus of the University of Minnesota, and for other purposes.

WHEREAS, The line of railway of the Northern Pacific Railway Company, located through the campus of the University of Minnesota, is operated in an open cut extending through the campus, whereby travel between the different parts of the campus is greatly impeded:

WHEREAS, The operation of trains through said open cut causes noise and vibrations that obstruct the work in the class rooms in the university buildings adjacent to the tracks, and the locomotive engines operated through said campus emit large volumes of smoke and cinders which injure and destroy delicate scientific instruments in use in said buildings, and also render their use difficult by the excessive vibrations resulting from such operation of the railroad; and

WHEREAS, It is feasible and practicable to cover said tracks through the campus in a manner that will, in a large degree, if not wholly, obviate said difficulties without hindering the proper operation of said railway, therefore

Be it enacted by the Legislature of the State of Minnesota:

Northern Pacific Railway Co. to cover tracks through Minnesota University campus.—Section 1. That the Northern Pacific Railway Company, at its own expense, is hereby required to cover its tracks through the campus of the University of Minnesota in such manner, consistent with the proper use and requirements of its railway, as will least impair the safety and use of the campus, protect the property of the state from injury and cause the least annoyance and interruption of the work of the university.

Board of regents given certain powers.—Sec. 2. If it should appear to the board of regents that the general object of this act can be better accomplished by agreement, then the board of regents of the University of Minnesota is hereby authorized to make such agreements as it may deem best with the Northern Pacific Railway Company for changing the grade or line of the railway company's tracks through the grounds of the state university, and for so covering or otherwise altering the railway as to minimize as far as practicable the injury and inconvenience to the university arising from the location thereof and the running of trains upon the same.

Change of grade authorized.—Sec. 3. Should any agreement which the regents may make under section 2 make necessary or advisable a change of the grade of said railway at and near its crossing of University avenue in Minneapolis, the city of Minneapolis is hereby authorized to become party to the agreement and

to make such contract obligating the city in the premises as in the judgment of the city council may be necessary to accomplish the object heretofore stated.

Division of expense.—Sec. 4. The said board of regents and the said city are authorized to contract with the said railway company for such division of the expense of the improvement as they may determine to be just and proper, and if they are unable to come to an agreement for such division of such expense they are authorized to agree with said railway company for a determination thereof by arbitration.

Regents to enforce act.—Sec. 5. It is hereby made the duty of the board of regents of the University of Minnesota to enforce this act.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved April 21, 1909.

CHAPTER 303—S. F. No. 163.

An Act to amend section five hundred seventy-seven (577) of chapter seven (7) of the Revised Laws of Minnesota of 1905, relating to compensation of county surveyors.

Be it enacted by the Legislature of the State of Minnesota:

Surveyors and deputies to receive \$4 per day and necessary expenses—Other compensation.—Section 1. That section five hundred seventy-seven (577) of chapter seven (7) of the Revised Laws of Minnesota of 1905, be and the same is hereby amended so that said section shall read as follows:

Section 577. Compensation—Except as hereinafter provided, the compensation of county surveyors or their deputies shall be four dollars (\$4.00) per day while employed in the performance of their respective duties, including the time necessarily spent in traveling to and from the field of their labor, together with all their necessary expenses, payable by the party or parties who employs the surveyor. The surveyor shall receive one dollar and fifty cents (\$1.50) for platting each survey in each section over which his survey extends in the county record book of survey, and fifteen cents (15c) per folio for recording and indexing of the surveyor's descriptive field notes; but in no case shall he receive or charge to exceed two dollars and fifty cents (\$2.50) for platting and recording the plats and records of the survey of any one section, and the surveyor's fees for platting and recording the surveys shall be paid by the county in which the